

**MHDS COMMISSION**  
**December 2, 2021**  
**9:30 am to 12:30 pm**  
**Zoom – Approved 1/20/2022**

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**MHDS COMMISSION MEMBERS PRESENT:**

Sarah Berndt	Maria Sorensen
Diane Brecht	Sen. Sarah Trone Garriott
Teresa Daubitz	Cory Turner
Rep. Lindsay James	Richard Whitaker
June Klein-Bacon	Russell Wood
Timothy Perkins	Lorrie Young

**MHDS COMMISSION MEMBERS ABSENT:**

Betsy Akin	Don Kass
Rep. Dennis Bush	Shari O'Bannon
Sen. Jeff Edler	Jeff Sorensen
Janee Harvey	

**OTHER ATTENDEES:**

Rob Aiken	Mae Hingtgen	Brita Nelson
Theresa Armstrong	Michael Jenkins	Chris Olson
Kris Bell	Charlene Joens	Katie Peck
Teresa Bomhoff	Todd Lange	Mary A. Petersen
Amber Bowling	Adrienne LaToure	Cheryl Plank
Rachel Cecil	Aimee Lenth	Denise Rathman
Marcy Davis	Bob Lincoln	Dan Ries
Wendy DePhillips	Melissa Loehr	Flora Schmidt
Jim Donoghue	Brooke Lovelace	RG Schwarm
Don Gookin	Stacie Maass	Kim Scorza
John Hedgecoth	Liz Matney	Cynthia Stiedel Bishop
Tessa Heeren	Steve Muller	Gano Whetstone

**Materials Referenced:**

*October 21, 2021, MHDS Commission AM Meeting Minutes*  
*October 21, 2021, MHDS Commission & IMHPC Joint Meeting Minutes*  
*MHDS-21-038 Noticed Rules Package for Regional Funding*  
*MHDS Commission 2021 Annual Report DRAFT 11.19.21*

**Welcome and Introductions**

Russell Wood called the meeting to order at 9:35 a.m. and led introductions. Quorum was established with ten voting members attending virtually.

**Review and Vote on Approval of October 21, 2021, AM Meeting Minutes**

Tim Perkins made a motion to approve the October 21, 2021, morning meeting minutes. Sarah Berndt seconded the motion. The motion passed unanimously.

### **Review and Vote on Approval of October 21, 2021, MHDS Commission & IMHPC Joint Meeting Minutes**

Diane Brecht made a motion to approve the October 21, 2021, MHDS Commission and Iowa Mental Health Planning and Advisory Council (IMHPC) joint meeting minutes. Richard Whitaker seconded the motion. The motion passed unanimously.

### **Consider Approval for Notice of Administrative Rules regarding IAC 441 Chapter 25, Disability Services Management**

Theresa Armstrong presented and summarized the rule package on IAC 441 Chapter 25 related to SF619 Mental Health and Disability Services Regional Funding requesting approval to notice the rules. There were clarifying questions regarding 25.13(6) with regards to encumbrance. Sarah Berndt motioned to approve the rules. Diane Brecht seconded the motion. There was no discussion. The motion to approve the rule package was approved unanimously.

### **Review and Vote on 2021 Annual Report**

Wendy DePhillips reviewed the final draft of the 2021 Annual Report for approval by the Commission, noting the additions of sections on the State Resource Centers Barriers Report and the Iowa Center for School Mental Health presentations. Tim Perkins motioned to approve the report. Lorrie Young seconded the motion. There was no discussion. The motion passed and the 2021 Annual Report was approved.

### **Update on Children's Behavioral Health System State Board**

Rich Whitaker reported that the Children's Behavioral Health System State Board met on November 9, 2021. Rich reviewed the highlights of the meeting.

- Quite a bit of the meeting was spent on strategic planning including measures of success, workgroup responsibilities and feedback loops, creating a roadmap to guide the work of the Board, tools for prioritizing, formalizing recommendations, and developing the annual report. There was also discussion regarding structure for future meetings, incorporating workgroups, stakeholder engagement, a focus on measurements and data, as well as research issues and solutions.
- Draft of the Annual Children's State Board Report was reviewed and will be voted on in December. The report identified priorities for decision makers. Some of these priorities include: conducting a statewide resource mapping for children's services, prioritizing critical workforce needs in all levels of behavioral health care statewide, expanding training in children's behavioral health issues for primary care providers, physician assistants and nurse practitioners with focus on the First Five program, provide funding to eliminate the Children's Mental Health Waiver wait list, continue to develop and implement statewide data collection pertaining to children with a serious emotional disturbance, and continue to prioritize exploration and development of juvenile assessment centers.
- Updates were given by Kelly Garcia, Director, Iowa Department of Human Services and Liz Matney, Medicaid Director, Iowa Department of Human Services.
- Presentation on Teacher-Child Interactive Therapy (TCIT).

## **MHDS Update**

### HHS Alignment

A preliminary change package has been issued and the contractor is seeking stakeholder feedback, both internal and external through stakeholder engagement meetings. The package gives a high-level picture of the recommendations that are coming forward with the alignment to one agency.

There was discussion regarding the linkages between the Department of Human Services and the Department of Public Health as it relates to behavioral health. The change package isn't specific to what the single agency will look like but does give messaging on what they are focusing on. Some collaborative projects include Your Life Iowa, 988 State Implementation Plan, the new peer-support contract, as well as the collaborative work that is done with regards to the Mental Health Block Grant and Substance Abuse Block Grant. It was important to note that this was very high-level and is preliminary. There was discussion about eliminating the silos between substance use disorder treatment and mental health treatment.

### COVID Recovery Iowa

DHS has applied for an extension of dollars to extend the program through March 2022. Currently the program is set to expire December 9, 2021, and DHS has not yet received notice that the extension has been approved. DHS plans to support the program with additional funds that are available through the Mental Health Block Grant.

### MHDS Regions

No applications were received by the MHDS Regions for the incentive fund. Emergency rules were approved by the MHDS Commission to allow Regions to apply for incentive funds for FY22, but no applications were received. The \$3M that was appropriated by the state into the incentive fund will remain and not revert to the General Fund. Only three Regions were eligible to apply for the incentive fund based on their ending fund balance, but none of the three thought they needed the dollars for this fiscal year. Performance-Based Contracts have been issued to the MHDS Regions for signature. They will go into effect on January 1, 2022. Regions have submitted their certified ending fund balances and annual reports as of December 1, 2021.

### Administrative Rules

Rules in Chapter 24 related to Community Mental Health Centers (CMHC) are in the internal DHS review process, and DHS hopes to bring the rules to the MHDS Commission in January for review and approval to notice.

The Chapter 25 rules that were approved for notice today with relation to MHDS Regional Funding are set to be published in the Iowa Administrative Bulletin on December 29, 2021. Comments will be accepted for up to 20 days after that date.

DHS received a public records request from Optima attorneys asking for all email communications that Lorrie Young and Rich Whitaker had related to MHDS Commission business and specifically discussion on Optima. DHS does not have oversight of Lorrie and Rich's email address but reached out to request if they would fulfill the request as MHDS Commission

members, as those communications specific to Commission business are part of public record. Lorrie and Rich shared the respective emails and those have been shared with Optima attorneys.

There was a question regarding when an attorney asks for specific information from a MHDS Commission member what their coverage for potential litigation is as a Commission member? Theresa indicated that she would have to consult with Gretchen Kraemer in the Attorney General's Office to provide a legal answer to the question.

There was another question about Commission member's legal obligation to provide information when requested. Commission members are not obligated to give DHS the information. DHS can ask for member's cooperation in fulfilling the records request and then DHS would facilitate getting the response back to the requestor. If the member chose not to cooperate then DHS would respond to the requestor that DHS does not have access to Commission member's email. The requestor would then have to go directly to the individual members.

#### Requests for Proposals (RFPs)

- Centers of Excellence RFP has been issued. The center will train and look at fidelity related to evidence-based practices in the state. Proposals are due by December 21, 2021. DHS hopes to announce the winning bidder on January 25<sup>th</sup>.
- The Peer-Operated Services RFP was reissued, which are peer support services and programs that are owned and operated by individuals with lived experience. The RFP is to provide support for up to four programs throughout the state by either assisting with expansion of a current program or adding a new one. Proposals are due December 15<sup>th</sup>, and DHS hopes to announce the successful bidder on January 10<sup>th</sup>.
- DHS has announced successful bidders for the Systems of Care (SOC) RFP. SOC is a service with a strong service coordination and offer dollars to wraparound services that may not be accessible (e.g., BHIS). The two new contracts will be issued to Orchard Place for services in Dallas and Madison Counties, and Elipsis is the other provider, which will likely be a broad coverage area in central Iowa. The four teams that are already in place are Orchard Place in Polk and Warren Counties, Tanager Place, Four Oaks and University of Iowa Community Circle of Care.
- Iowa Medicaid Enterprise (IME) has also issued a large RFP on September 3, 2021. This is one of the items related to the use of their American Rescue Plan dollars for Home and Community Based Services (HCBS). It is called Program Evaluation and Analysis for Iowans with Disabilities and Behavioral Health Needs. A very large study looking at the behavioral health, aging and disability services system, including state agencies responsible and funding sources. Looking for a national expert to conduct research and analysis, and to provide technical assistance. It will be a 3–5-year project.

#### COVID Mitigation Activities

DHS received \$385,000 through the Mental Health Block Grant for COVID mitigation activities. DHS submitted their plan to SAMHSA, which was approved. The plan is to distribute dollars across the CMHCs to be used specifically on PPE, rapid onsite testing, sanitizing facilities and the equipment needed for that, and purchasing testing. The funds are specific to helping to keep staff and individuals served healthy.

## **Introduction and Update from Iowa Medicaid Enterprise (IME) Director**

Liz Matney, Medicaid Director, Department of Human Services, introduced herself and thanked the Commission for inviting her to present at the meeting. Liz spoke about the current strategic plan initiatives in place.

An RFP was issued for an overall statewide analysis of behavioral health, disability, and aging system. The awardee, Mathematica, was announced yesterday, December 1, 2021. The goal of the contract is to identify how Medicaid and other systems that work with individuals with behavioral health, disability, and aging needs work together to maximize resources. How do these systems overlap? Where are the gaps, and how can Medicaid be positioned to address them? Down the road there could be policy and state plan changes, 1915c waiver realignment, etc.

Liz spoke about the focus on modernizing how Medicaid does business, including updating how Medicaid reviews reimbursement rates for providers. Historically rate reviews were done if legislatively mandated or as dollars are appropriated in legislation. Currently looking at doing rate reviews on an annual cadence so that DHS knows where Iowa is positioned relative to other markets in the State as well as relative to other state Medicaid programs in the surrounding region. The goal is to be prepared with information and fiscal projections on what increases would cost to get Iowa Medicaid to a place that is comparable with these other areas.

Liz talked about the monthly member and provider town halls that she and Marissa Eyanson had been conducting, and how informative and helpful they have been allowing DHS to take away feedback and bring updates back to the next meeting. It has been good to have an open line of communication with the provider and member communities.

Liz shared that the State Auditor has started to do a review of Medicaid Managed Care appeals starting back in 2019. The report was released recently. Medicaid met with the Auditor's Office after receiving a draft report. Liz shared the appeals process before 2016 and after 2016 when Managed Care was implemented, and how those processes differ.

Liz shared that the Managed Care RFP should be released this winter. The goal is received responses by next summer. The reason that the RFP was issued is that Amerigroup contract ends at the end of 2023, and there are no more extensions. Due to state procurement and contracting laws, the contract must go back out for bid. Need to fill the second slot for an MCO. Amerigroup could rebid for the contract.

## **Planning for Future Meetings**

Wendy DePhillips reviewed upcoming presentations for January and February, including an update from the BI Advisory Committee and Brain Health Now, respectively. It was noted that there would be rules packages brought forward in January and February as well.

There was discussion regarding if MHDS Regions were going to have to update their management plans due to the changes in financial structure.

There was discussion regarding updates related to the inpatient bed system, community access and types of beds needed would be a good topic for a future presentation.

**Public Comment**

No public comment.

**Adjourn**

Rich Whitaker motioned to adjourn the meeting and was seconded by Diane Brecht. The meeting was adjourned at 11:19 a.m.

Minutes respectfully submitted by Wendy DePhillips.